



INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-1356]

Certain Dermatological Treatment Devices and Components Thereof; Institution of Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on March 1, 2023, under section 337 of the Tariff Act of 1930, as amended, on behalf of Serendia, LLC of Lake Forest, California. Supplements were filed on March 2, 13 and 14, 2023. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain dermatological treatment devices and components thereof by reason of the infringement of certain claims of U.S. Patent No. 9,480,836 (“the ’836 Patent”); U.S. Patent No. 10,058,379 (“the ’379 Patent”); U.S. Patent No. 11,406,444 (“the ’444 Patent”); U.S. Patent No. 9,320,536 (“the ’536 Patent”); U.S. Patent No. 9,775,774 (“the “’774 Patent”); and U.S. Patent No. 10,869,812 (“the ’812 Patent”). The complaint further alleges that an industry in the United States exists as required by the applicable Federal Statute. The complainant requests that the Commission institute an investigation and, after the investigation, issue a limited exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, may be viewed on the Commission’s electronic docket (EDIS) at <https://edis.usitc.gov>. For help accessing EDIS, please email EDIS3Help@usitc.gov. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205-2000.

General information concerning the Commission may also be obtained by accessing its internet server at <https://www.usitc.gov>.

FOR FURTHER INFORMATION CONTACT: Pathenia Proctor, The Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2559.

SUPPLEMENTARY INFORMATION:

SCOPE OF INVESTIGATION: Having considered the complaint, the U.S. International Trade Commission, on March 31, 2023, ORDERED THAT –

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain products identified in paragraph (2) by reason of infringement of one or more of claims 1, 2, 5-6, 9-14, 16-17, 19, and 22 of the '836 patent; claims 1-5, 7-10, and 15 of the '379 patent; claims 1-10 of the '444 patent; claims 1-2, 4-5, 8-9, 11-13, and 16-17 of the '536 patent; claims 1 and 6-15 of the '774 patent; and claims 1, 5-7, 9-10, and 12-19 of the '812 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) Pursuant to section 210.10(b)(1) of the Commission's Rules of Practice and Procedure, 19 CFR 210.10(b)(1), the plain language description of the accused products or category of accused products, which defines the scope of the investigation, is "RF microneedling dermatological treatment devices and components thereof";

(3) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainant is:

Serendia, LLC

23792 Rockfield Blvd.

Lake Forest, CA 92630

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Sung Hwan E&B Co., LTD.

d/b/a SHEnB Co. LTD.

SHENB Building, 148 Seongsui-ro

Seongdong-gu

04796 Seoul

Republic of Korea

Aesthetics Biomedical, Inc.

4602 N. 16th St., Suite 300

Phoenix, AZ 85016

Cartessa Aesthetics, LLC

175 Broadhollow Road

Melville, NY 11747

Lutronic Corporation

Lutronic Center

219 Sowon-ro

Deogyang-gu,

Goyang-si,

Gyeonggi-do 10534

Republic of Korea

Lutronic Aesthetics, Inc. AKA Lutronic, Inc.

19 Fortune Dr.
Billerica, MA 01821

Lutronic, LLC
19 Fortune Dr.
Billerica, MA 01821

Illooda Co., Ltd.
Building B. 9 floor
IS BIZ Tower Central 25
Deokcheon-ro 152beon-gil
Manan-gu, Anyang-si, Gyeonggi-do
Republic of Korea

Cutera, Inc.
3240 Bayshore Blvd.
Brisbane, CA 94005

Jeisys Medical Inc.
Daeryung Techno Town 8th, Gasang-dong
Room 307
96 Gamasan-ro, Geumcheon-gu
Seoul 08501
Republic of Korea

Cynosure, LLC
5 Carlisle Rd.

Westford, MA 01886

Rohrer Aesthetics, LLC
105 Citation Ct.

Homewood, AL 35209

Rohrer Aesthetics, Inc.
105 Citation Ct.

Homewood, AL 35209

EndyMed Medical Ltd.

7 Bareket Street

North Industrial Park

Caesarea

3097612 Israel

EndyMed Medical, Ltd.

790 Madison Ave., Suite 402

New York, NY 10065

EndyMed Medical Inc.

4400 Route 9 South, Suite #1000

Freehold, NJ 07728

(c) The Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, S.W., Suite 401, Washington, D.C. 20436; and

(4) For the investigation so instituted, the Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 CFR 210.13. Pursuant to 19 CFR 201.16(e) and 210.13(a), as amended in 85 FR 15798 (March 19, 2020), such responses will be considered by the Commission if received not later than 20 days after the date of service by the complainant of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the Administrative Law Judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

AUTHORITY: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. 1337, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 CFR 210.10 (2022).

By order of the Commission.

Issued: March 31, 2023.

Lisa Barton,

Secretary to the Commission.